

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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Attorney for Debtor

In Re:

Sandra J. May
debtor

Case No.: 19-27812

Judge: JNP

Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO

CREDITOR'S MOTION or CERTIFICATION OF DEFAULT
 TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT

The debtor in the above-captioned Chapter 13 proceeding hereby objects to the following (**choose one**):

1. Motion for Relief from the Automatic Stay filed by

McCormick 105, creditor.

A hearing has been scheduled for May 19, 2020 at 10:00 a.m.

OR

Motion to Dismiss filed by the Standing Chapter 13 Trustee, _____.

A hearing has been scheduled for _____, at ____.

Certification of Default filed by _____, creditor

I am requesting a hearing be scheduled in this matter.

OR

Certification of Default filed by Standing Chapter 13 Trustee.

I am requesting a hearing be scheduled in this matter.

2. I am objecting to the above for the following reasons (**choose one**):

Payments have been made in the amount of \$ _____, but have not been accounted for. Documentation in support of attached hereto.

Payments have not been made for the following reasons and debtor proposes repayment as follows **explain your answer**): _____

Other (**explain your answer**): 1. I am in the process of filing a modified plan which will call for the surrender of the Philadelphia property, which is the subject of the motion for the relief from the stay. Please note that I remain optimistic that I can sell this property for a sufficient sum to satisfy all lien holders, but understand at this point that the lien holders will have stay relief.

2. As to the assignment of rents, I have two tenants. One of the tenants pays the secured creditor directly. For whatever reason, the other tenant continues to pay me. Included in the “rents” is a water bill which has to be paid to continue water service. After that payment, I turn over funds to the secured creditor. I will be preparing an accounting which will be provided prior to the hearing date in this matter.

3. I object to the proposed form of order submitted in this matter. The motion for relief simply refers to my Philadelphia property. However, the order includes stay relief as to the subject Philadelphia property and a vague reference to real estate located in Lower Township, Cape May County, New Jersey. I hereby certify that I do not own real estate in Cape May County, New Jersey, and if this is an attempt by the secured creditor to obtain stay relief as to my residence (located in Atlantic County, New Jersey), I oppose such stay relief.

3. This Certification is being made in an effort to resolve the issues raised by the creditor in this motion.

4. I certify under penalty of perjury that the foregoing is true and correct.

Date: May 5, 2020

/s/ Sandra J. May
Debtor Signature

NOTE:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within ten (10) days of the filing of a *Creditor's Certification of Default* (under an *Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions*) or a *Trustee's Certification of Default*.

If this form is not filed the Motion or Certification of Default will be deemed uncontested